UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

AMERICAN SAFETY CASUALTY INSURANCE COMPANY et al., Plaintiffs,

v. CITY OF WAUKEGAN,

Defendant.

CITY OF WAUKEGAN,

Counter-Plaintiff,

v.
AMERICAN SAFETY CASUALTY
INSURANCE COMPANY, et al.
Counter-Defendants.

Case No. 07CV1990 (Consolidated with Case No. 07CV64) Judge Kendall Magistrate Judge Finnegan

CITY OF WAUKEGAN'S SUPPLEMENTAL PETITION FOR ATTORNEYS' FEES AGAINST AMERICAN SAFETY, PURSUANT TO COURT ORDER DATED MARCH 16, 2011

Defendant, Counter-Plaintiff, City of Waukegan (the "City"), an Illinois municipality, by its attorneys, Paulette A. Petretti and Darcee C. Williams, of Scariano, Himes and Petrarca, Chtd., hereby brings its Supplemental Petition for Attorneys' Fees and Costs Pursuant to this Court's Order of March 16, 2011. In support thereof, the City states as follows:

- 1. On March 3, 2011, this Court issued its Memorandum Opinion and Order regarding a dispute over insurance coverage between the City and American Safety Casualty Insurance Company ("ASI") and Interstate Indemnity Company ("Interstate"), among other insurers, concerning coverage for the civil rights case filed by Alejandro Dominguez, Alejandro Dominguez v. Hendley et al., Case No. 04 C 2907.
- 2. The March 3, 2011 Order directs ASI and Interstate to provide coverage to the City in an amount \$11,397,195.39, as well as costs and interest above the *Dominguez* verdict, plus the City's attorneys fees for the defense of the *Dominguez* lawsuit in the amount of \$1,079,296.90. In addition, as to ASI, the City was awarded the City's attorneys' fees and costs

in litigating this declaratory judgment action. See Doc. 810, PageID 28197-28198.

- 3. Accordingly, pursuant to this Court's March 3, 2011 Order, the City is entitled to the attorneys' fees and costs it incurred in litigating the declaratory judgment action against ASI. Id.
- 4. On March 10, 2011, the City filed its initial fee petition. [Doc. 816]. On March 16, 2011, in light of additional legal work that would be required because of post-judgment motions filed by ASI and Interstate, Judge Kendall granted the City leave to file a supplemental fee petition by June 23, 2011. This current submission addresses supplemental fees incurred by the City related to ASI. The City incorporates by reference herein all data and legal arguments set forth in its initial fee petition [Doc. 816] as if set forth in their entirety.
- 5. On March 10, 2011, the City initially submitted support for reimbursement for \$213,693.24 in attorneys' fees, legal research fees and expert fees it incurred in litigating the declaratory judgment action against ASI. The documentation and computations were described in the affidavit of attorney Paulette A. Petretti of the law firm of Scariano, Himes and Petrarca (the "Scariano Firm") submitted March 10, 2011. See Exhibit 1, attached to initial fee petition. [Doc. 816-1, PageID 28292-28661].
- 6. The City is now seeking an additional \$58,643.90 incurred in supplemental fees from March 1, 2011 to the date of this filing and \$1,885.38 in legal research fees incurred in drafting responses to ASI's post-judgment motions.
- 7. The City was charged an hourly rate of \$200.00 for legal services rendered by attorneys at the Scariano Firm for the time period of March 1, 2011 to the present. See Affidavit of Paulette A. Petretti, attached hereto as Exhibit 1.

- 8. The rates charged by the Scariano Firm are based on the market rate for the services rendered as set forth in the affidavit of Paulette A. Petretti attached to the initial fee petition. [Doc. 816-1, PageID 28292-28661].
- 9. Accordingly, the City seeks an additional \$58,643.90 in supplemental attorneys' fees and \$1,885.38 in supplemental electronic legal research charges.
- 10. Under separate cover the City is submitting supplemental Bills of Costs against ASI and Interstate including supplemental financing fees and costs, incurred to satisfy the *Dominguez* verdict, as recoverable under the Court's March 3, 2011 Order, the Supplementary Payment provisions of ASI's and Interstate's policies, and pursuant to Federal Rule of Civil Procedure 54. ¹

WHEREFORE, the City respectfully requests that this Court award the City's petition for supplemental attorneys' fees in the amount of \$58,643.90 as well as the City's supplemental legal research charges in the amount of \$1,885.38 for a total supplemental fee award of \$60,529.28. This petition is in addition to the request for \$213,693.24 set forth in the March 10, 2011 petition. The total of the initial fee petition and the supplemental fee petition computes to a request for a reimbursement of \$274,222.52, and for any further relief this Court deems appropriate.

Respectfully submitted,

By: s/ Paulette A. Petretti

One of the City of Waukegan's Attorneys

PAULETTE A. PETRETTI (ARDC NO. 06203646)

DARCEE C. WILLIAMS (ARDC NO. 06276211) SCARIANO, HIMES AND PETRARCA, CHTD.

180 North Stetson, Suite 3100, Chicago, Illinois 60601-6714

312-565-3100 ext. 245 G:\WP51\COMMON\MUNICIPL\WAUKEGAN\AMSAFE-SCOTTS CONSOL\American Safety\FEES and COSTS\SUPP fee petition.docx

¹ The City is now seeking \$3,130,168.00 in judgment financing costs which will be incurred through June 30, 2011 to satisfy the *Dominguez* judgment. Additionally, the City has itemized costs specifically related to ASI and to Interstate in its Supplemental Bills of Costs, which are being filed concurrently with this supplemental fee petition.

Case: 1:07-cv-01990 Document #: 874 Filed: 06/22/11 Page 4 of 48 PageID #:29932

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

AMERICAN SAFETY CASUALTY INSURANCE COMPANY et al., Plaintiffs,

v. CITY OF WAUKEGAN,

Defendant.

CITY OF WAUKEGAN,

Counter-Plaintiff,

v.
AMERICAN SAFETY CASUALTY
INSURANCE COMPANY, et al.
Counter-Defendants.

Case No. 07CV1990 (Consolidated with Case No. 07CV64) Judge Kendall Magistrate Judge Finnegan

CITY OF WAUKEGAN'S SUPPLEMENTAL PETITION FOR ATTORNEYS' FEES AGAINST AMERICAN SAFETY, PURSUANT TO COURT ORDER DATED MARCH 16, 2011

Exhibit 1

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

AMERICAN SAFETY CASUALTY INSURANCE COMPANY et al., Plaintiffs,

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CITY OF WAUKEGAN,

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AMERICAN SAFETY CASUALTY
INSURANCE COMPANY, et al.
Counter-Defendants.

Case No. 07CV1990 (Consolidated with Case No. 07CV64) Judge Kendall Magistrate Judge Finnegan

AFFIDAVIT OF PAULETTE A. PETRETTI IN SUPPORT OF CITY OF WAUKEGAN'S SUPPLEMENTAL PETITION FOR ATTORNEYS' FEES AGAINST AMERICAN SAFETY, PURSUANT TO COURT ORDER DATED MARCH 16, 2011

- I, Paulette A. Petretti, being first duly sworn under oath, depose and state that the following statements are based on my personal knowledge and, if called upon to provide sworn testimony as a witness, I could competently provide the following testimony:
- 1. I am a partner in the law firm of Scariano, Himes and Petrarca, Chtd. (the "Scariano Firm"), located at 180 North Stetson, Suite 3100, Chicago, Illinois, 60601. This affidavit is submitted in support of the City of Waukegan's Supplemental Petition for Attorneys' Fees Pursuant to Court Order Dated March 16, 2011 ("Supplemental Fee Petition").
- 2. I have filed an appearance as lead counsel on behalf of the City of Waukegan (the "City") in the above-captioned case and have served in the capacity of lead counsel from the inception of the case in 2007.
- 3. As counsel for the City of Waukegan, I have participated in all phases of the litigation, including preparation of the City's Supplemental Fee Petition.

- 4. All supplemental attorneys' fees incurred on behalf of the City in litigating this case against American Safety Casualty Insurance Company ("ASI") were necessary to protect the best interests of our client, the City of Waukegan, as discussed below. Accordingly, for the reasons set forth below, the City requests that this Court deem the City's Supplemental Fee Petition as reasonable.
- 5. On March 3, 2011, this Court issued its Memorandum Opinion and Order providing in part that, "Waukegan is entitled [to] the attorneys' fees and costs incurred in litigating this declaratory judgment action against American Safety Casualty Insurance Co. ("American Safety"), to be set out in a fee petition filed with the Court within Seven (7) days of entry of this Order." See Doc. No. 811, PageID 28269. The City complied with the order and submitted its initial fee petition on March 10, 2011.
- 6. The City requested attorneys' fees in the amount of \$194,392.99, \$9,109.24 in legal research fees and \$10,191.01 in fees expended for the City's expert. See initial fee petition [Doc. 816, PageID 28290]. The City incorporates by reference herein all data and information set forth in the initial fee petition as if set forth in their entirety.
- 7. The City now seeks \$58,643.90 in supplemental attorneys' fees incurred from March 3, 2011 to the date of filing of the City's Supplemental Fee Petition. These supplemental fees do not include attorneys' fees incurred by the City in litigating this case against Interstate Indemnity Company ("Interstate"), Certain Underwriters at Lloyds of London, Northfield Insurance Company and Westport Insurance Company, who were all Counter-Defendant insurers in the this action. Similarly, the Supplemental Fee Petition does not include attorneys' fees incurred by the City in litigating this case against Scottsdale Insurance Company and Evanston

Insurance Company, who were dismissed from the case prior to the issuance of the Court's March 3, 2011. Exhibit A attached to this affidavit sets forth the Scariano Firm's billing invoices for this case. A Summary of Attorneys' Fees and Hours and Clerks' Fees and Hours Attributable to ASI is attached hereto as Exhibit B. A Summary of Legal Research Fees Attributable to ASI is attached hereto as Exhibit C.

- 8. All entries relating to other insurance carriers have been redacted from the supplemental billing invoices. <u>See</u> Exhibit A.
- 9. To the extent any time entries in the supplemental billing invoices reference communications between attorneys and our clients, such references should not be deemed to be a waiver of the attorney/client or attorney work product privileges. Such references are provided to establish billing activities for which the City is seeking to recoup legal fees on certain dates and for specified times.
- 10. The time entries which pertain to carriers other than ASI are redacted from the billing invoices and labeled as "REDACTED" with a notation of "n/a ASI", which is defined as "not applicable to American Safety Insurance."
- 11. For legal activities which pertain to both ASI and Interstate, if certain discrete legal activities can be allocated to each carrier then the amount charged to ASI is reduced by 50%.
- 12. The Court will note that there is a cost allowance¹ indicated on the billing invoices attached hereto as Exhibit A. The City has pro-rated the cost allowance that would be applicable to ASI and sought reimbursement for that amount in its Supplemental Bill of Costs

¹ The Scariano Firm does not bill clients for the cost of copying, overtime scheduled and necessitated by deadline requirements, the use of computer equipment, mainframes, facsimile transmissions, long distance telephone calls, and customary postage. Rather, the Scariano Firm bills each client with a "cost allowance" of 5% of the fees billed to cover such routine costs.

Against ASI. This cost allowance is itemized separately in the City's Supplemental Bill of Costs and will be calculated in the costs' total, not the fees' total. The City's Supplemental Bills of Costs against ASI and Interstate are being filed concurrently with the City's Supplemental Fee Petition.

- 13. For the relevant period of this Supplemental Fee Petition, from March 1, 2011 to the present, the Scariano Firm charged the City of Waukegan at a rate of \$200.00 per hour for professional attorney services rendered. We charge an hourly rate of \$110.00 per hour for law clerks.
- Our billing rates are comparable to or lower than the prevailing market rate in the Chicago community for the time period of April 2007 to the present for the practice area of local governmental law and insurance coverage litigation. See legal citations and supporting comparable attorney affidavit attached to initial fee petition [Doc. 816, PageID 28289-28298, 28661].
 - 15. Throughout this litigation, the City has consistently paid our legal bills.

16. It is respectfully requested that in view of the 310.22 hours spent by counsel on the post-judgment litigation related to ASI, the quality of counsels' work, the complexity of the case, and the standing of the City's counsel at the Bar, the City should be awarded the supplemental attorneys' fees and legal research charges requested in the amount of \$60,529.28. These supplemental fees are in addition to the attorneys' fees, electronic legal research fees and expert fees in the amount of \$213,693.24, requested in the initial fee petition. Accordingly, the City is seeking a total award of \$274,222.52 in attorneys' fees.

Further affiant saith naught.

Paulette A. Petretti

One of the City of Waukegan's Attorneys

"OFFICIAL SEAL"
DIANA CHONG

Notary Public, State of Illinois
My Commission Expires Aug. 21, 2013

SUBSCRIBED and SWORN to before me this 22 day of June 2011.

NOTARY PUBLIC

G:\WP51\COMMON\MUNICIPL\WAUKEGAN\AMSAFE-SCOTTS CONSOL\American Safety\FEES and COSTS\SUPP petition PAP aff.docx

Case: 1:07-cv-01990 Document #: 874 Filed: 06/22/11 Page 10 of 48 PageID #:29938

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

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Case No. 07CV1990 (Consolidated with Case No. 07CV64) Judge Kendall Magistrate Judge Finnegan

AFFIDAVIT OF PAULETTE A. PETRETTI IN SUPPORT OF CITY OF WAUKEGAN'S SUPPLEMENTAL PETITION FOR ATTORNEYS' FEES AGAINST AMERICAN SAFETY, PURSUANT TO COURT ORDER DATED MARCH 16, 2011

Exhibit A



03/03/2011

SCARIANO, HIMES and PETRARCA

ATTORNEYS AT LAW . CHARTERED

P.O. BOX 81355 CHICAGO, ILLINOIS 60681-0355 TAXPAYER ID # 36-2813428

\$40.00

0.20 hrs.

FOR BILLING INQUIRIES CONTACT ACCOUNTING AT (312) 565-3100 ext. 261

April 1, 2011 Billing through 03/31/2011

Invoice No. 29521 DPF

CITY OF WAUKEGAN
ATTN: ACCOUNTS PAYABLE
100 N. MARTIN LUTHER KING JR. AVENUE

Client Number C3975
Matter Number 00005

AMERICAN SAFETY CASUALTY MATTER

WAUKEGAN, IL 60085

TOP PROFESSIONAL	SERVICES RENDERED		- XI/C
03/02/2011	REDACTED	n/a ASI }	
. 03/03/2011	REVIEW AND ANALYZE JUDGE KENDALL'S	2.00 hrs.	-\$4 00.00 -
	OPINION ON SUMMARY JUDGMENT	2-0%	\$80.00
	REVIEW AND EVALUATE OF JUDGE	2.50 hrs.	-\$500:00
03/03/2011	KENDALL'S MEMORANDUM AND OPINION AWARDING THE CITY SUMMARY	50%	\$250.00
	JUDGMENT AGAINST AMERICAN SAFETY AND INTERSTATE INDEMNITY RE:	· ·	
	DOMINGUEZ COVERAGE	•	
03/03/2011	TELEPHONE CONFERENCE WITH CORPORATION COUNSEL FINN CONCERNING JUDGE KENDALL'S RULING	0.20 hrs.	\$40.00
	RE: DOMINGUEZ COVERAGE		
03/03/2011	FOLLOW-UP EMAIL CORRESPONDENCE	0.40 hrs.	\$80.00
	WITH CITY OF WAUKEGAN CONCERNING DECLARATORY JUDGMENT AWARD RE:		
	DOMINGUEZ COVERAGE	:	•
03/03/2011	REDACTED	n/a ASI	- \$320.00 -
03/03/2011	REDACTED	n/a ASI	-N/C
		<u>.</u>	
		•	

REVIEW MINUTE ORDER ENTERED 3/3/11

C3975	CITY OF WAUKEGAN Invoice Number	29521 Page	2
03/04/2011	ASSESS AND OUTLINE JUDGMENT ORDER IN FAVOR OF CITY AND AGAINST AMERICAN SAFETY AND INTERSTATE;	1.00 hrs.	\$200.00
	PREPARE CORRESPONDENCE TO CLIENT RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE		•
03/04/2011	REDACTED	n/a ASI	<u> </u>
• •			• •
00/05/0011	BEGIN REVIEWING RECORDS TO BE	1.00 hrs.	\$200.00
03/05/2011	INCLUDED IN FEE PETITION, INCLUDING LEGAL RESEARCH AND EXPERT COSTS RE: AMERICAN SAFETY/DOMINGUEZ		
	COVERAGE	* 1	•-
03/05/2011	BEGIN GATHERING MATERIALS TO BE INCLUDED IN BILL OF COSTS; REVIEW MATERIALS FROM CITY'S FINANCE DIRECTOR RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	1.00 hrs.	\$200.00
03/08/2011	REDACTED	n/a ASI	\$60.00
03/08/2011	REVIEW AND CALCULATE COSTS ASSOCIATED WITH BOND ISSUANCE FOR PAYMENT OF JUDGMENT RE:	0.80 hrs.	\$160,00
•	PREPARATION OF FEE/COST PETITION		
03/08/2011	BEGIN DRAFTING FEE PETITION	1.50 hrs.	\$300.00
03/08/2011	PLAN AND DISCUSS STRATEGY FOR PREPARING FEE/COST PETITION	1.00 hrs.	\$200.00
.03/08/2011	BEGIN DRAFTING AFFIDAVIT OF PETRETTI IN SUPPORT OF FEE PETITION	1.00 hrs.	\$200.00
03/08/2011	REVIEW AND ANALYZE CASE LAW, FEDERAL RULES OF CIVIL PROCEDURE	3.00 hrs.	\$600.00
: · · ·	AND LOCAL RULES ON FEE PETITIONS, COSTS, SECTION 155 FEES, REASONABLE FEES AND PREVAILING MARKET RATE RE:		·
•	PREPARATION OF FEE PETITION AGAINST AMERICAN SAFETY		
03/08/2011	TELEPHONE CONFERENCE WITH RISK MANAGER MCGAVIN CONCERNING COSTS RELATED TO FINANCING RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	0.40 hrs.	\$80.00

C3975	CITY OF WAUKEGAN Invoice it	Number 29521	Page 3
03/08/2011	TELEPHONE CONFERENCE WITH ATTORNEY GRIMM AT CLAUSEN MILL TO REQUEST EXECUTION OF AN AFFIDAVIT TO SUPPORT ATTORNEYS'		. \$80.00
	RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE		
03/08/2011	REVIEW AND ANALYSIS OF FINANCIN LETTER OF CREDIT AND BOND ANTICIPATION NOTE RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	IG OF 0.50 hrs	s. \$100.00
03/08/2011	REVIEW YEARS 2007 AND 2008 AND REDACT AND EDIT INVOICES TO IDENTIME ENTRIES DEVOTED TO LEGAL ACTIVITIES ADDRESSING AMERICAN SAFETY TO BE INCLUDED IN FEE PETIRE; AMERICAN SAFETY/DOMINGUEZ COVERAGE		s. \$1,100.00
03/08/2011	EVALUATE MATERIALS SENT FROM DIRECTOR OF FINANCE AND ANALYZ HOW TO BREAK DOWN INFORMATION FINANCING INTEREST FOR PRESENTA IN BILL OF COSTS RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	N ON	s. \$680.00
03/08/2011	PREPARE AND SEND E-MAIL CORRESPONDENCE TO MS PETRETTI CONCERNING DOMINGUEZ COSTS; RI RESPONSE TO SAME; PREPARE AND S REPLY TO SAME	EVIEW	rs. \$60.00
03/08/2011	ASSIST IN PREPARATION AND COMPI OF EXHIBITS FOR BILL OF COSTS RE: INTERSTATE	ILING 4.00 h	rs. \$440.00
03/09/2011	REVIEW AND ANALYZE CASE LAW O PETITIONS AND RECOVERABLE COS	ON FEE 2.00 h	urs. \$400.00
03/09/2011	DRAFT AND SUPPLEMENT CITY'S FEI PETITION	E 2.00 h	nrs. \$400.00
03/09/2011	DRAFT AFFIDAVIT OF PETRETTI IN SUPPORT OF FEE PETITION	2.00 1	hrs. \$400.00
03/09/2011	DRAFT AND SUPPLEMENT CITY'S BII COSTS	LL'OF 2.50 1	brs. \$500.00
03/09/2011	DRAFT AFFIDAVIT IN SUPPORT OF C BILL OF COSTS	etty's 2.50 l	hrs. \$500.00

C3975	CITY OF WAUKEGAN	Invoice Number 29521	Page	4
03/09/2011	REDACTED		n/a ASI	-\$160.00-
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•			••	
•		· · · · · · · · · · · · · · · · · · ·		\$120.00
03/09/2011	TELEPHONE CONFERENCE W	TTH RISK	0.60 hrs.	φ120.00
	MANAGER MCGAVIN CONCE PRESENTATION OF FINANCI	JANING JAINTEREST		
	TO BE INCLUDED IN BILL OF	COSTS RE:		
	AMERICAN SAFETY/DOMING	JUEZ .	_	,
•	COVERAGE		: •	
		DG 0000 AND	5.80 hrs.	\$1,160.00
03/09/2011	REVIEW INVOICES FOR YEAR	KS 2009 AND	.em 00.C	ψ1,100.00
•	2010; EDIT AND REDACT TO ENTRIES ONLY RELATED TO	AMERICAN		
	SAFETY FOR SUPPORTING	•		
	DOCUMENTATION TO BE AT	TACHED TO	•	
	FEE PETITION PURSUANT TO) COURT		•
	ORDER RE: AMERICAN SAFETY/DOMINGUEZ COVE	RAGE	:	
	SAFEI IIDOMINGOISI CO 122			
03/09/2011	REVIEW AND SUPPLEMENT	DETAILED	3.00 hrs.	\$600.00
03/03/2011	HISTORY OF DOMINGUEZ JU	IDGMENT		
	FINANCING COSTS RE: AME	RICAN		
	SAFETY/DOMINGUEZ COVE	KAGE		
	PREPARATION OF AFFIDAVI	T OF MCGAVIN	3.00 hrs.	\$600.00
03/09/2011	TO BE ATTACHED TO BILL (OF COSTS	·	
	CONCERNING JUDGMENT F	NANCING	•	
•	COSTS RE: AMERICAN	D A CIE		•
	SAFETY/DOMINGUEZ COVE	KAGE		•
	IDENTIFY AND ASSESS AME	RICAN	0.30 hrs.	\$60.00
03/09/2011	SAPETY'S MOTION OF EXTE	NSION OF TIME		
	TO FILE STATEMENT APPOR	RTIONING		•
•	COSTS; IDENTIFY AND ASSI	388 NOTICE OF	•	•
	MOTION			
	ASSIST IN PREPARATION A	VD COMPILING	6.50 hrs.	\$715.00
03/09/2011	OF EXHIBITS FOR BILL OF C	COSTS RE:		
	AMERICAN SAFETY			
	•		0.001	\$400.00
03/10/2011	REVIEW AND REVISE BILL	OF COSTS	2.00 hrs.	. \$400.00
• •		· A W PROPER TRAT	2.00 hrs.	\$400.00
03/10/2011	REVIEW AND REVISE AFFII)AVII IN	2.00 ms.	Ψ 100100
	SUPPORT OF BILL OF COST	3		
	REVIEW AND REVISE PETIT	TON FOR	1.50 hrs.	\$300.00
03/10/2011	ATTORNEYS FEES	PART TEL		
	ALL VALUE A ALLO			
03/10/2011	REVIEW AND REVISE AFFI	OAVIT IN	1.50 hrs.	\$300.00
UJI IUI ZVI I	SUPPORT OF PETITION FOR	. ATTORNEYS'		
		•		

C3975	CITY OF WAUKEGAN	Invoice Number	29521 Page	5
-	FEES		·	
03/10/2011	CREATE SUMMARY DETAILING COSTS F AND INTERSTATE RI SUPPORTING AFFIDA	OR AMERICAN SAFETY B: BILL OF COSTS AND	2.00 hrs.	\$400.00
03/10/2011	CREATE SUMMARY LEGAL RESEARCH A FEE PETITION AND S AFFIDAVIT	SPREADSHEETS WITH ND EXPERT FEES RE: SUPPORTING	2.00 hrs.	\$400.00
03/10/2011	COMPILE INVOICES OF COSTS AGAINST AND INTERSTATE	IN SUPPORT OF BILL AMERICAN SAFETY	1.50 hrs.	\$300.00
03/10/2011	REVIEW AND ANAL LOCAL RULE 54.1 RI AND REIMBURSABI LEGAL RESEARCH I	E: BOND PREMIUMS LITY OF ELECTRONIC	1.00 hrs.	\$200.00
03/10/2011	REVIEW MEMORAN OPINION RE: SUPPL COSTS AND FEE PET	EMENTING BILL OF	0.30 hrs.	\$60.00
03/10/2011	TELEPHONE CONFE MANAGER MCGAVI AMENDMENT'S TO I FINANCING COSTS AMERICAN SAFETY COVERAGE	N CONCERNING OOMINGUEZ MEMORANDUM RE:	0.40 hrs.	\$80.00
03/10/2011	2007 TO 2011 IN PRE EXHIBITS SHOWING COMPLETING LEGA TO AMERICAN SAF	FEES INCURRED IN L ACTIVITIES RELATED ETY TO BE ATTACHED	2.60 hrs.	\$520.00
	TO FEE PETITION R SAFETY/DOMINGU	E; AMERICAN EZ COVERAGE	•	
03/10/2011	REVIEW AND SUPP ALLOWANCE BREA AMERICAN SAFETY COVERAGE	KDOWN RELATED TO	1.50 hrs.	\$300.00
03/10/2011	REVIEW AND SUPP TO EXPERT WITNE SAFETY/DOMINGU	LEMENT FEES RELATE SS RE: AMERICAN EZ COVERAGE	D 1.00 hrs.	\$200.00
03/10/2011	BRAYER FOR CON	OICES RE: AMERICAN	0.30 hrs.	\$60.00
				_

C3975	CITY OF WAUKEGAN Invoice Nu	omber 29521	Page 6
03/10/2011	REVIEW AND SUPPLEMENT LEGAL RESEARCH FEES RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	0.90 1	nrs. \$180.00
03/10/2011	REVIEW AND SUPPLEMENT BILL OF CO AND SUPPORTING AFFIDAVITS AND MEMORANDUM RE: AMERICAN	STS 1.20 l	brs. \$240.00
	SAFETY/DOMINGUEZ COVERAGE		
03/10/2011	REVIEW AND SUPPLEMENT BILL OF CO AGAINST AMERICAN SAFETY RE: DOMINGUEZ COVERAGE	osts 0.50 1	hrs. \$100.00
03/10/2011	REDACTED	n/a	ASI <u>\$100.00</u>
		•	
03/10/2011	SUPPLEMENT AND FINALIZE PETRETTS AFFIDAVIT IN SUPPORT OF PETITION F FEES AGAINST AMERICAN SAFETY RE: DOMINGUEZ COVERAGE	OR	hrs. \$200.00
03/10/2011	SUPPLEMENT AND FINALIZE PETRETTS AFFIDAVIT IN SUPPORT OF BILL OF CO AGAINST AMERICAN SAFETY AND INTERSTATE RE: DOMINGUEZ COVERA	STS	hrs. \$200.00
03/10/2011	IDENTIFY AND ASSESS CITY'S PETITION FOR ATTORNEYS' FEES AND EXHIBITS THERETO; IDENTIFY AND ASSESS NOT OF FILING		hrs. \$440.00
03/10/2011	IDENTIFY AND ASSESS CITY'S BILL OF COSTS AND EXHIBITS THERETO; IDEN ASSESS NOTICE OF FILING) hrs. \$200.00
03/10/2011	ASSIST IN PREPARATION OF PETITION ATTORNEY'S FEES AND BILL OF COST AMERICAN SAFETY AND INTERSTATE ASSIST IN ASSEMBLY OF EXHIBITS FO PETITION FOR ATTORNEYS' FEES AND OF COSTS; PREPARE NOTICES OF FILE	S RE: l; or o BILL	7 hrs. \$733.70
	AND FILE	.,,	
03/10/2011	ASSIST IN BILL OF COSTS PREPARATION	ON 6.2	0 hrs. \$682.00
03/11/2011	REDACTED		n/a ASI -\$100.00
03/14/2011	REVIEW COURT'S ORDER OF 3/14/11 R	E: 0.2	20 hrs. \$40.00

Invoice Number 29521

C3975	CITY OF WA	UKEGAN INVOICE NUMBER 2	7,522	
		PROVIDING EXPLANATION ITEMIZING PAYMENTS TO DOMINGUEZ TO AMERICAN SAFETY		
03/14/2011		REDACTED	n/a ASI	_\$100.00
	: * *			
				-
•			0.00.1	\$40.00
03/14/2011		REVIEW AND RESPOND TO EMAIL CORRESPONDENCE FROM RISK MANAGER CONCERNING ALL SUMS LANGUAGE IN	0.20 hrs.	. \$40.00
, .		AMERICAN SAFETY AND INTERSTATE'S	•	
		POLICIES RE: AMERICAN		•
		SAFETY/DOMINGUEZ COVERAGE		
03/14/2011		IDENTIFY AND ASSESS MINUTE ORDER ENTERED 3/14/11 ON AMERICAN SAFETY MOTION TO ENLARGE	0.20 hrs.	\$40.00
03/14/2011	•	IDENTIFY AND EVALUATE AMERICAN SAFETY'S MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT	0.60 hrs.	\$120.00
		REVIEW AND ANALYZE AMERICAN	1.10 hrs.	-\$220:00 -
03/15/2011		SAFETY AND INTERSTATE POLICIES FOR SUPPLEMENTAL PAYMENTS PROVISIONS AND ALL SUMS PROVISIONS RE:	50%	\$110.00
•	• • • • • • • • • • • • • • • • • • • •	RESPONSES TO AMERICAN SAFETY'S MOTION TO ALTER/AMEND AND INTERSTATE'S MOTION FOR RECONSIDERATION		
	•	THE RESIDENCE OF THE PROPERTY	1.20 hrs.	-\$240:00 -
03/15/2011	-	REVIEW DOMINGUEZ TRIAL TRANSCRIPT FOR DISCUSSION OF DUE PROCESS CLAIM	•	\$120.00
		RE: RESPONSES TO AMERICAN SAFETY'S	50%	41,000
		MOTION TO ALTER/AMEND AND		
	<i>:</i>	INTERSTATE'S MOTION FOR	. •	
		RECONSIDERATION		
03/15/2011	-	REVIEW DOMINGUEZ DOCKET AND DOMINGUEZ BILL OF COSTS AND FEE PETITION RE: PROVIDING	1.20 hrs.	\$240.00
		DOCUMENTATION TO AMERICAN SAFETY ITEMIZING PAYMENT TO DOMINGUEZ		•
		HEMING PAINTENT TO DOMINGOED	-	
03/15/2011		REVIEW AND SUPPLEMENT CORRESPONDENCE TO AMERICAN SAFETY ITEMIZING ITS PAYMENT TO DOMINGUEZ RE: COURT ORDER OF 3/14/11	0.80 hrs.	\$160.00
03/15/2011		OUTLINE ISSUES TO BE ADDRESSED IN AMERICAN SAFETY'S MOTION TO ALTER	0.60 hrs.	\$120.00

C3975	CITY OF WAUKEGAN	Invoice Number	29521	Page	8
	OR AMEND RE: COURT'S MARCI	H 3 ORDER		•	
03/15/2011	REVIEW AND PREPARE ATTORI BILLING INVOICES IN DOMING LITIGATION RE: PROVIDING AM SAFETY ITEMIZATION OF PAYM MADE TO DOMINGUEZ PURSUA COURT ORDER OF 3/14/11	UEZ MERICAN MENTS	2.50	hrs.	\$500.00
03/15/2011	REVIEW AND ANALYZE CASE I RAISING NEW ISSUES ON MOTI RECONSIDERATION	AW ON ONS FOR	0.60	hrs.	\$120.00
03/15/2011	TELEPHONE CONFERENCES WI MANAGER MCGAVIN; REVIEW DOCUMENTS FROM MR. MCGA CONCERNING SATISFACTION (DOMINGUEZ JUDGMENT RE: A SAFETY/COVERAGE ACTION	VIN OF	0.40) hrs.	\$80.00
03/15/2011	TELEPHONE CONFERENCE WIT ATTORNEY FIELD AND REVIEV DOCUMENTS FROM MR. FIELD CONCERNING HIS NEGOTIATION PLAINTIFF'S COUNSEL AND SA OF DOMINGUEZ JUDGMENT RE SAFETY/COVERAGE ACTION	W) ON WITH ATISFACTION	1	0 hrs.	\$100.00
.03/15/2011	REVIEW OF CIVIL TRIAL RECO HISTORY OF ORDERS CONCER DOMINGUEZ JUDGMENT AND SATISFACTION OF JUDGMENT AMERICAN SAFETY/COVERAC	RE:	1.5	60 hrs.	\$300.00
03/15/2011	REVIEW JUDGE KENDALL OR REQUIRING DOCUMENTS CON CITY'S PAYMENT OF DOMING JUDGMENT AND INTEREST TO DELIVERED TO AMERICAN SARE: AMERICAN SAFETY/COVE ACTION	DER NCERNING UEZ) BE AFETY ON 3/1		20 hrs.	\$40.00
03/15/2011	PREPARATION OF CORRESPONAMERICAN SAFETY AND INTERPORT AND INTERPORT OF COMPLIANCE VALUE OF CITY PAYMENTS SATISFACTION OF DOMINGUAND ITEMIZING JUDGMENT, FEES, COSTS AND INTEREST AMERICAN SAFETY/COVERA	ERSTATE WITH JUDGE RIBING S IN EZ JUDGMEI ATTORNEYS RE:	NT	80 hrs.	\$560.00
03/15/2011	PREPARATION OF EXHIBITS	TO BE).50 hrs.	\$100.00

C3975	CITY OF WAU	KEGAN				Invoice Number	29521	Pag	je S)
		AMERICADDRES KENDAL	AN SAFE SING CO L ORDE V OF CIT	R AND DI Y PAYMI	INTERS CE WITI ESCRIBI ENTS IN	H JUDGE ING				
		AND ITE	MIZING OSTS AN	OF DOMI JUDGME D INTERU ETY/COV	NT, AT EST RE:	IUDGMENT CORNEYS' ACTION				
		•				FIELD IN		1.00 hrs.		\$200.00
03/15/2011		SUPPOR AMERIC ADDRES KENDAL	T OF CO CAN SAFI SSING CO LL ORDE Y OF CII	RRESPOI ETY AND MPLIAN IR AND D 'Y PAYM	NDENCE INTERS ICE WIT DESCRIB ENTS IN	TATE H JUDGE ING	r ·			
		AND IT	EMIZING OSTS AN	JUDGMI ID INTER	ENT, AT EST RE	JOKNEZ2.			٠	
03/15/2011		DETAIL COMPL ORDER CITY PA	ED MES: IANCE W AND SE: AYMENI GUEZ JU	SAGE CO ATH JUD EKING C 'S IN SAT	ONCERN OGE KEN ONFIRM TISFACT T RE: A	IDALL IATION OF		0.20 hrs.		\$40.00
03/15/2011		PARTY REVIEV CONCE	ADMINI W DOCUI RNING S IGUEZ JU	STRATO MENTS F SATISFAC	R LASC ROM M CTION C IT RE: A	S. LASCH		0.40 hrs.		\$80.00
. 03/15/2011		ANATS	ZE ČIVI	L RIGHT	S FILE N	MATERIALS	3	2.00 hrs.		\$400.00
.03/13/2011	•	TOREY	VIEW DO SATISFA	CUMEN	TS ADD:	RESSING INGUEZ	- -	•		•.
03/15/2011	1	PETRE FILING	TTI; WO DETAII NGUEZ F	AT MEE RK WITH ING AM OR SATI EVIEW A	OUNTS SFACTI	PAID TO ON OF		4.90 hrs.		\$980.00
		AFFID MS WI	AVIT; AT LLIAMS S IN UND	TTEND C RE: CLA ERLYING	ONFEK RIFICA	ENCE WITE TION OF		· · ·	•	
03/15/201		PETRI	PHONE C ETTI RE: MENTS	ONFERE FINAL SI	NCE WI ETTLEM	TH MS IENT OF		0.20 hrs		\$40.00

C3975	CITY OF WAUKEGAN	Invoice Number	29521	Page	10
	THE LONG TEN PERIONIN	NGTO	1.00 hr	S.	- \$200.00
03/16/2011	PLAN STRATEGY FOR RESPOND	10 10 10	1-1		\$100.00
	AMERICAN SAFETY'S MOTION T		50%		4100.00
• .	ALTER/AMEND JUDGMENT AND	•			
•	INTERSTATE'S MOTION FOR RECONSIDERATION OF JUDGME	NT .			
•	RECONSIDERATION OF JODGISH				
	AND ANTAL WITE CASE I	AWON	2.00 h	rs.	\$400.00
03/16/2011	REVIEW AND ANALYZE CASE L AWARD OF SECTION 155 ATTOR	NEVS FEES		•	
•.	RE: RESPONSE TO AMERICAN S.	AFRIY'S	•		
	MOTION TO ALTER/AMEND JUL	GMENT			
	AND INTERSTATE'S MOTION FO	R .	•	•	
	RECONSIDERATION OF JUDGMI	ENT			
	RECONSIDERATION OF JODGING			•	
. '		GUEZ	1,00 h	rs.	- \$200.00 -
03/16/2011	REVIEW AND ANALYZE DOMIN	AT.	50	·1	\$100.00
,	DOCKET, PLEADINGS AND TRANSCRIPT RE: JUDGMENT A	TO DIE	5 V	ŀ	4100.00
•	PROCESS CLAIMS FOR ARGUM	RNTIN			
	RESPONSE TO AMERICAN SAFE	TYS			
	MOTION TO ALTER/AMEND JUI	OGMENT		•	
•	AND INTERSTATE'S MOTION FO	OR.		•	•
. •	RECONSIDERATION OF JUDGM	ENT			
	RECONSIDERATION OF TOP COM				
• •	ATTEND COURT APPEARANCE	ON	1.80	ors.	_ \$360.00 -
03/16/2011	INSURERS' MOTION TO CLARIE	Y AND	\$0.	1	\$180.00
	ALTER JUDGMENT RE: AMERIC	CAN	50	1.	, ,
	SAFETY/DOMINGUEZ COVERA	GE			
•	PWEI INOIMIGOTT 00 (===				
	PREPARATION OF ITEMIZED B	REAKDOWN	3.50	hrs.	\$700.00
03/16/2011	OF JUDGMENT AND INTEREST	AS			
<i>.</i>	ORDERED BY COURT; FILE SAI	ME RE:			•
•	AMERICAN SAFETY/DOMINGU	EZ			
	COVERAGE				•
•	COVERNOD				
	TELEPHONE CONFERENCE WI	TH RISK	0.50	hrs.	\$100.00
03/16/2011	MANAGER MCGAVIN CONCER	NING			•
•	TEMIZATION OF INTEREST OF	NUDGMEN	TT .		•
٠,	AND FEES AND COSTS RE: AM	ERICAN	· · · ·	•	
• •	SAFETY/DOMINGUEZ COVER/	AGE			
	DAI DI LID OLIZZA				
	EMAIL CORRESPONDENCE WI	TH COUNSE	EL 0.50	hrs.	\$100.00
03/16/2011	FOR AMERICAN SAFETY CON	CERNING		•	
	BREAKDOWN OF INTEREST P	ER COURT		•	
	ORDER RE: AMERICAN				•
	SAFETY/DOMINGUEZ COVERA	AGE	•		
	PALET INDIMITAGES CO ADM	• • • • • • • • • • • • • • • • • • • •	- •		. •
		•	I	n/a ASI	N/C-
03/16/2011	REDACTED				•
	•			-	
*	•		•	4	
•		no	1 /	0 hrs.	\$280.00
03/16/2011	CONSIDER AND REVIEW CITY	CO NE AND	7.41	, and	4 —
	CERTIFICATE OF COMPLIANCE	'E WIND			

C3975	CITY OF WAUKEGAN Invoice Number	29521 Page	11
	EXHIBITS THERETO		
03/17/2011	REVIEW AND ANALYZE CASE LAW ON RULE 59 RE: RESPONDING TO AMERICAN SAFETY'S MOTION TO ALTER/AMEND JUDGMENT AND INTERSTATE'S MOTION FOR RECONSIDERATION OF JUDGMENT	1.50 hrs. 50 /.	\$150.00 \$150.00
03/17/2011	BEGIN DRAFTING CITY'S RESPONSE IN OPPOSITION TO AMERICAN SAFETY'S MOTION TO ALTER/AMEND	2.00 hrs.	\$400.00
03/17/2011	REVIEW AND REVISE JUDGMENT AND FINAL AWARD COMPUTATION IN RESPONSE TO QUESTIONS FROM AMERICAN SAFETY'S COUNSEL	1.00 hrs.	\$200.00
03/17/2011	REVIEW AND ANALYSIS OF ATTORNEY LOEVY DAMAGES INFORMATION; TELEPHONE CONFERENCE WITH WITH ATTORNEY LOEVY RE: CALCULATIONS FOR SATISFACTION OF JUDGMENT RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	1.00 hrs.	\$200.00
03/17/2011	PREPARATION OF CORRESPONDENCE TO COUNSEL FOR AMERICAN SAFETY AND INTERSTATE ALLOCATING CIVIL RIGHTS DAMAGES RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE	1.00 hrs.	\$200.00
03/17/2011	TELEPHONE CONFERENCE WITH MS PETRETTI RE: BREAKDOWN OF NUMBERS CONSTITUTING AMOUNT OF LETTER OF CREDIT	0.30 hrs.	\$60.00
.03/17/2011	MS PETRETTI RE: LETTER OF CREDIT; REVIEW OF FILE MATERIALS TO ASCERTAIN WHAT AMOUNTS WERE ADDED TO REACH FINAL FIGURE;	1.60 hrs.	\$320.00
	TELEPHONE CONFERENCE WITH MS PETRETTI RE SAME		\$240.00
03/18/2011	CONTINUE REVIEW OF FILE MATERIALS LETTER OF CREDIT	RE 1.20 hrs.	<i>Φ2</i> /10.00
03/18/2011	REDACTED	n/a AS	-\$80.00 -
03/22/2011	REVIEW AND ANALYZE CASE LAW ON	4.00 hrs.	\$800 .00

C3975	CITY OF WAUKEGAN	Invoice Number	29521	Page	12
	SECTION 155 LIABILITY; DRAFT I OF RESPONSE TO AMERICAN SAI MOTION TO AMEND	PORTIONS FETY'S			
:	· -	ATEVO!		1.70 hrs.	\$340.00 -
03/22/2011	COMPUTE INTEREST AND ATTOM FEES FOR DELIVERY TO AMERIC	CAN		•	\$170.00
	SAFETY AND INTERSTATE IN ACCORDANCE WITH COURT OR AMERICAN SAFETY/DOMINGUE COVERAGE	DER RE: Z			
03/24/2011	PREPARATION OF INTERIM REP BUDGET RE: AMERICAN SAFETY/DOMINGUEZ COVERAC			1.00 hrs.	\$200.00
03/25/2011	ANALYSIS OF ARGUMENT OF A SAFETY MOTION TO CLARIFY			1.00 hrs.	\$200.00
03/26/2011	CODIEC OF MCEATRI	M OT YOUR		0.50 hrs.	\$100.00
03/27/2011	THE THE PROPERTY AND DESIGNATION OF THE PROPERTY AND DESIGNATI	MERICAN N STATUS		0.30 hrs.	\$60.00
03/27/2011	PEDACTED	•		n/a ASI	\$60.00-
				"	
03/27/2011	REDACTED			n/a ASI	-\$100.00-
• •			,	·. · ,	
03/29/201	DRAFT RESPONSE TO AMERIC MOTION TO AMEND RE: UNRI AND VEXATIOUS CONDUCT	CAN SAFET CASONABL	Y'S E	4.50 hrs.	\$900.00
03/29/201	THE STATE OF THE PARTY AND THE	IOTION RE: LL OF COS	TS	0.30 hrs.	\$60,00
03/29/201	1 REDACTED	a ·		n/a ASI	· - \$120.00 ·
03/29/201				n/a ASI	-\$60.00
03/29/20	SUPPLEMENT INTERIM STAT RE: AMERICAN SAFETY/DOM COVERAGE	US REPORT INGUEZ	Γ	0.20 hrs.	\$40.00

C3975	CITY OF WAUKE	GAN Invoice Number 29521	Page	13
		REDACTED	n/a AŚl	\$80.00
03/29/2011	• .			
	: -7			
·			•	
•	i	REDACTED	n/a ASI	_\$80.00 -
03/29/2011	÷₩.	11201101		•
	•	REDACTED	n/a ASI	-\$60:00
03/29/2011		REDACTES		
•				•
03/29/2011	À	NALYSIS OF AMERICAN SAFETY	0.30 hrs.	\$60.00
	A	RGUMENT SET FORTH IN MOTION TO LITER VERDICT CONCERNING AMERICAN AFETY INSURANCE'S ALLEGED BELIEF		•
	т	HAT CITY WAS NO LONGER DEFENDANT		
	. А	ND THEREFORE NO NEED FOR		;
	.C	OVERAGE RE: AMERICAN AFETY/DOMINGUEZ COVERAGE	i	
•	,is	REDACTED	n/a ASI	\$60.00
03/29/2011	,		•	
			i	
	;		•	
		·	n/a ASI	<u>N/C</u>
03/29/2011		REDACTED	IVE TO! ;	140
				•
	•		n/a ASI	
		REDACTED	. Hyarioi	-\$132.00
03/29/2011	• •			•
	•••••	ASSIST IN LOCATING AND COMPILING OF	2.20 hrs.	\$242.00
03/30/2011		ASSIST IN LOCATING AND COMMITTEE OF EXHIBITS FOR MOTION FOR LEAVE TO	•	
•	•	AMEND BILL OF COSTS AGAINS!	•	•
		AMERICAN SAFETY AND INTERSTATE		
03/30/2011	l	DRAFT AMENDED BILL OF PRE-JUDGMENT	1.50 hrs.	\$300.00
03/30/2013	-	COSTS AGAINST INTERSTATE AND	•	
	•	SUPPORTING AFFIDAVIT		
00/00/001	1	DRAFT MOTION FOR LEAVE TO FILE CITY'S	1.50 hrs.	- \$300.00 -
03/30/201	.	AMENDED BILL OF PRE-JUDGMENT COSTS AGAINST AMERICAN SAFETY AND AMENDED BILL OF COSTS AGAINST	50%	\$120.00
	•	INTERSTATE	·	

C3975	CITY OF WAU	KEGAN	Invoice Number	29521	Page	14
					1.00 hrs.	- \$200.00
03/30/2011		ANALYZE AND PLAN S RESPONSES TO AMERI INTERSTATE'S MOTIO MARCH 3, 2011 JUDGM	A TO AMEND THE		50 %.	\$100.00
.03/30/2011	;		ACTED		n/a ASI	\$300.00 -
.0075072012		•			,	
•		1				; -
03/30/2011		PREPARE SUMMARIES COSTS IN SUPPORT OF BILL OF PRE-JUDGME	CITY'S AMENDED	•	1.50 hrs.	\$300.00
		AMERICAN SAFETY				•
03/30/2011		DRAFT CITY'S AMENI PRE-JUDGMENT COST AMERICAN SAFETY A AFFIDAVIT	S AGAINST		2.50 hrs.	\$500.00
		•			2.50 hrs.	- \$500.00
03/30/2011		REVIEW AND RESPON INQUIRIES FROM CO	ID TO EMAIL INSELFOR			
		AMERICAN SAFETY OF INTEREST AND COST MODIFICATION OF B	ONCERNING S; ANALYSIS OF		5°/.	\$250.00
		PREPARATION OF REINTERSTATE'S MOTIC CLARIFICATION RE:	SPONSE TO ON FOR CONSOLIDATED			
•		DECLARATORY JUDG CASES/DOMINGUEZ	OVERAGE		•	
03/30/2011		INVESTIGATE RELEVE TAXATION OF COSTS	ANT AUTHORITY RI UNDER STATUTE	3:	1.30 hrs.	\$260.00
03/31/2011	•	ASSIST IN PREPARA	TION OF MOTION FO	R	4.40 hrs.	_\$ 484:00
		LEAVE TO AMEND B	ILL OF COSIS ISAFETY AND		50%	\$ 242.00
	· . ·	INTERSTATE; ASSISTEXHIBITS; PREPARE AND FILE SAME	IN PREPARATION C	F		•
03/31/2011	i ·	REVIEW AND SUPPL AMENDED BILL OF A AGAINST AMERICA	SE-INDOMENT COS	TS	3,00 hrs.	\$600.00
03/31/201	1	· -	REDACTED	·	n/a ASI	-\$4 00.00 -
	•	•			•	
03/31/201	1	PREPARE BILL OF C AMERICAN SAFETY	OSTS FORM AGAINS	T	0.50 hrs.	\$100.00

C3975	CTTY OF WAUKEGAN Invoice Number 295:	21 Page	15
	REDACTED	n/a ÀSÌ	\$100.00
03/31/2011			

.03/31/2011	REVIEW AND SUPPLEMENT COST COMPUTATIONS RE: AMENDED BILL OF PREJUDGMENT COSTS AGAINST	1.50 hrs.	\$300.00
	AMERICAN SAFETY		
03/31/2011	REDACTED	n/a ASI	-\$300.00 -
03/31/2011			
	ative experien	n/a AŠI	-\$400.00 -
03/31/2011	REDACTED		Ψ100.00
•			
•			
•			#400.00
03/31/2011	PREPARE SUMMARIES/SPREADSHEETS OF	2.00 hrs.	\$400.00
. •	COSTS IN SUPPORT OF CITY'S AMENDED BILL OF PRE-JUDGMENT COSTS AGAINST		•
	AMERICAN SAFETY	:	
03/31/2011	COMPILE EXHIBITS AND PREPARE CITY'S AMENDED BILL OF PRE-JUDGMENT COSTS	1.00 hrs.	\$200.00
•	AGAINST AMERICAN SAFETY	. :	-
03/31/2011	REDACTED	n/a ASI	.— \$200:00 —
		,	
			\$600:00
03/31/2011	REDACTED	n/a ASI	
		1.00 hrs.	\$200.00
03/31/2011	PREPARE AND SUPPLEMENT PETRETTI AFFIDAVIT IN SUPPORT OF BILL OF COSTS	7.00	
	AGAINST AMERICAN SAFETY RE:		
	AMERICAN SAFETY/DOMINGUEZ COVERAGE	; ;	
	COVERAGE		\$200 DO
03/31/2011	REDACTED	n/a ASI	
•			· · ·
•			· ;:
03/31/2011	SUPPLEMENT BILL OF COSTS FOR AMERICAN SAFETY ADDRESSING AREA OF PREMIUM SECURITY FINANCING AND OUT	1.00 hrs.	\$200.00

16 Invoice Number 29521 CITY OF WAUKEGAN C3975 OF TOWN TRAVEL RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE -\$200.00n/a ASI 🕟 REDACTED 03/31/2011 \$100.00 SUPPLEMENT MOTION TO AMEND BILL OF 0.50 brs. 03/31/2011 PRE-JUDGMENT COSTS SETTING FORTH GOOD FAITH BASIS THAT COURT SHOULD ALLOW AMENDMENTS RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE N/C 0.20 hrs. IDENTIFY AND ASSESS MINUTE ORDER 03/31/2011 ENTERED 3/21/11 [NO CHARGE PER ATTORNEY PETRETTI] \$33,034.70 -\$39,348.70 TOTAL FEES FOR THIS MATTER DISBURSEMENTS MARCH 2011 LEGAL RESEARCH CHARGES; AMERICAN SAFETY, FEE \$750.00 PETITION, MOTION TO RECONSIDER, ATTORNEY FEES \$629.65 -\$750.00 TOTAL DISBURSEMENTS FOR THIS MATTER ASI \$629.65

BILLING SUMMARY

TOTAL FEES

TOTAL DISBURSEMENTS

COST ALLOWANCE

\$1,451.74

TOTAL CHARGES FOR THIS BILL AST.

\$33,034.70
-\$1,967.44
-\$1,967.44

\$1,451.74

\$35,316.09
-\$42,966.14



SCARIANO, HIMES and PETRARCA

ATTORNEYS AT LAW . CHARTERED

P.O. BOX 81355 CHICAGO, ILLINOIS 60681-0355 TAXPAYER ID # 36-2813428

FOR BILLING INQUIRIES CONTACT ACCOUNTING AT (312) 565-3100 ext. 261

May 2, 2011

Billing through 04/30/2011

Invoice No. 29652

DPF

ATTN 100 N	OF WAUKEGAN : ACCOUNTS PAYABLE . MARTIN LUTHER KING JR. AVENUE KEGAN, IL 60085	Client Number Matter Number	C3975 00005
AMERICANS	SAFETY CASUALTY MATTER		
FOR PROFES 04/01/2011	SIONAL SERVICES RENDERED REDACTED	n/a ASI	-\$40:00
04/01/2011	REDACTED	n/a ASI	\$60.00
04/01/2011	REDACTED	n/a ASI	-\$40.00
04/01/2011	REDACTED	n/a ASI	<u>\$20.00</u>
04/01/2011	REDACTED	n/a ASI	-\$40:00 -
04/01/2011	REDACTED	n/a ASI	\$20.00
04/01/2011	IDENTIFY AND ASSESS CITY'S MOTION FOR LEAVE TO FILE AMENDED BILL OF COSTS; IDENTIFY AND ASSESS NOTICE OF MOTION FOR SAME	0.20 hrs.	\$40.00
04/03/2011	REDACTED	n/a ASI	- \$80.00 ·
04/03/2011	REDACTED	n/a ASI	.\$80.00

C3975

CITY OF WAUKEGAN

Invoice Number 29652

Page 2

	,		
04/03/2011	RESEARCH CONCERNING ALLOCATION OF DAMAGES IN CIVIL RIGHTS CASES RE: WAUKEGAN/AMERICAN	0.50 hrs.	\$100.00
• •	SAFETY/DOMINGUEZ COVERAGE		•
04/04/2011	REDACTED	n/a ASI	\$80.00
04/04/2011	REDACTED	n/a ASI	-\$100.00 -
04/04/2011	REDACTED	n/a ASI	-\$80:00
04/04/2011	REDACTED	" n/a ASI	\$60.00
04/05/2011	DRAFT RESPONSE IN OPPOSITION TO	3.00 hrs.	\$600.00
04/05/2011	AMERICAN SAFETY'S MOTION TO AMEND REDACTED	n/a ASI	-\$60:00 -
:		!	
04/05/2011	REDACTED	n/a ASI	\$60:00
		• • •	
04/05/2011	REVIEW AND SUPPLEMENT BILL OF COSTS AGAINST AMERICAN SAFETY INSURANCE RE: AMERICAN SAFETY/DOMINGUEZ	0.30 hrs.	\$60.00
	COVERAGE		
04/05/2011	REDACTED	n/a ASI '	-\$60.00
04/05/2011	REVIEW AND ANALYSIS OF INTERSTATE'S MOTION FOR RECONSIDERATION; ADDRESS AND DISTINGUISH CASE LAW RELIED ON TO SHIFT BURDEN TO CITY TO ALLOCATE AND PROVE APPLICATION OF POLICIES; PREPARATION OF ANALYSIS OF	3.30 hrs.	\$660.00

C3975	CITY OF WAUKEGAN	Invoice Number	29652	Page	3
	SUPREME COURT INTERPRET DAMAGES AVAILABLE FOR E CLAIMS RE: DECLARATORY JUDGMENT/DOMINGUEZ COV	UE PROCESS			
04/05/2011	PREPARATION OF RESPONSE OPPOSITION TO INTERSTATE FOR RECONSIDERATION ADD RECORD EVIDENCE THAT PL	S MOTION RESSING AINTIFF	3.0	00 hrs.	\$600.00
	WITHDREW ALL BUT DUE PR COUNTS AND CASE WENT TO COUNT II ONLY RE: DECLARA JUDGMENT/DOMINGUEZ COV	JURY ON ATORY			
04/05/2011	REDAC	TED	· •	n/a ASI	N/C
•					<u>!</u>
			:	•	
04/05/2011	IDENTIFY AND ASSESS CITY ENLARGEMENT TO FILE OBJ LLOYD'S BILL OF COSTS AND	ECTIONS TO	1	.20 hrs. 33:1.	\$ 240.00 - \$79.20
	MOTION; IDENTIFY AND ASS AMENDED BILL OF COSTS A INTERSTATE AND EXHIBITS	ESS CITY'S GAINST			
	IDENTIFY AND ASSESS CITY BILL OF COSTS AGAINST AM SAFETY AND EXHIBITS THE	'S AMENDED ERICAN			
04/06/2011	REVIEW AND ANALYZE CAS INSURANCE CONTRACT AM BONA FIDE DISPUTES RELA' IMPOSITION OF SECTION 15:	BIGUITIES ANI FED TO	_	1.50 hrs.	\$300.00
	RE: CITY'S RESPONSE TO MO AMEND	OT MOLTK	٠.		
04/06/2011	REVIEW AND ANALYZE AM SAFETY'S RESPONSES TO CI FACTS AND ADDITIONAL M FACTS RE: INCLUSION IN CI IN OPPOSITION TO AMERICA STATEMENT OF MATERIAL	TY'S MATERIA ATERIAL TY'S RESPONS AN SAFETY'S	Ĺ	1.00 hrs.	\$200.00
04/06/2011	REVIEW AND SUPPLEMENT OPPOSITION TO INTERSTAT AMEND	RESPONSE IN E'S MOTION TO		2.00 hrs.	\$400.00
04/06/2011	REVIEW AND SUPPLEMENT RESPONSE IN OPPOSITION ' SAFETY'S MOTION TO AME	O AMERICAN	•	5.00 hrs.	\$1,000.00

C3975	CITY OF WAUKEGAN	Invoice Number	29652 Pag	e 4
04/06/2011	PREPARATION OF RESPONSE IN OPPOSITION TO INTERSTATE'S FOR RECONSIDERATION ADDR ALLOCATION OF DAMAGES IN RIGHTS CASES RE: AMERICAN SAFETY/DOMINGUEZ COVERA	MOTION ESSING CIVIL	3.50 hrs.	\$700.00
04/06/2011	PREPARATION OF RESPONSE II OPPOSITION TO INTERSTATE'S FOR RECONSIDERATION ADDR CLAIMS FOR PRO-RATION OF I AGAINST CITY TO ACCOUNT F ARREST AND FALSE IMPRISON COUNTS RE: INTERSTATE MOTION/DOMINGUEZ COVERA	MOTION ESSING LABILITY OR FALSE IMENT	5.50 hrs.	\$1,100.00
04/06/2011	REVIEW AND SUPPLEMENT RE OPPOSITION TO AMERICAN SA MOTION TO ALTER OR AMENI RE: AMERICAN SAFETY/DOMII COVERAGE	SPONSE IN FETY'S VERDICT	0.50 hrs.	\$100.00
04/07/2011	DRAFT MOTION FOR LEAVE TO IN EXCESS OF 15 PAGES RE: CI RESPONSE IN OPPOSITION TO SAFETY'S MOTION TO AMEND	TY'S AMERICAN	0.50 hrs.	\$100 <u>.</u> 00
04/07/2011	REVIEW AND SUPPLEMENT CI ARGUMENT IN RESPONSE TO SAFETY'S CLAIM THAT INDEM OBLIGATIONS WERE NOT COV UNDER POLICY	AMERICAN INIFICATION	1.80 hrs.	\$360.00
04/07/2011	REVIEW AND SUPPLEMENT C ARGUMENT REGARDING ACT AND NOTICE OF INDEMNIFICA ARGUMENTS RE: CITY'S RESP AMERICAN SAFETY'S MOTION	UAL NOTICE ATION ONSE TO		\$300.00
04/07/2011	REVIEW AND SUPPLEMENT C DRAFT RESPONSE IN OPPOSIT AMERICAN SAFETY'S MOTIO	OT NOT	3.00 hrs.	\$600.00
04/07/2011	REVIEW AND SUPPLEMENT OF ARGUMENT IN RESPONSE TO SAFETY'S ASSUMPTION OF LISELF INSURED RETENTION E ARGUMENTS RE: CITY'S RESIMERICAN SAFETY'S MOTIO	AMERICAN ABILITY AN XHAUSTION PONSE TO		\$660.00
04/07/2011	PREPARE EXHIBITS TO CITY'S MO TO AMERICAN SAFETY'S MO AMEND	S RESPONSE TION TO	• 0.50 hrs.	\$100.00

Invoice Number CITY OF WAUKEGAN C3975 REDACTED \$60.00 n/a ASI 04/07/2011 \$600.00 3.00 hrs. PREPARE AND SUPPLEMENT OF RESPONSE 04/07/2011 IN OPPOSITION TO INTERSTATE'S MOTION FOR RECONSIDERATION OF JUDGMENT ORDER ADDRESSING ALLOCATION OF DAMAGES ISSUE FROM PERSPECTIVE OF PROCEDURAL HISTORY OF CASE RESULTING IN TRIAL ON SINGLE ISSUES OF DUE PROCESS, WHICH TRIGGERED ONLY AMERICAN SAFETY AND INTERSTATE RE: DOMINGUEZ COVERAGE \$600.00 3.00 hrs. PREPARATION OF ARGUMENT IN 04/07/2011 OPPOSITION TO INTERSTATE'S MOTION FOR RECONSIDERATION OF JUDGMENT ORDER ADDRESSING ALLOCATION OF DAMAGES ISSUE FROM PERSPECTIVE OF U.S. SUPREME COURT AND SEVENTH CIRCUIT PRECEDENT ADDRESSING SCOPE OF DAMAGES FOR DUE PROCESS CLAIMS RE: DOMINGUEZ COVERAGE \$200.00 1.00 hrs. PREPARATION OF ARGUMENT IN 04/07/2011 OPPOSITION TO INTERSTATE'S MOTION FOR RECONSIDERATION OF JUDGMENT ORDER ADDRESSING ALL SUMS LANGUAGE IN POLICIES RE: DOMINGUEZ COVERAGE \$700.00 3.50 hrs. REVIEW AND SUPPLEMENT RESPONSE IN 04/07/2011 OPPOSITION TO AMERICAN SAFETY MOTION TO ALTER JUDGMENT ADDRESSING ALLOCATION OF DAMAGES SOLELY TO AMERICAN SAFETY AND INTERSTATE BASED ON FACT THAT CASE WENT TO TRIAL SOLELY ON DUE PROCESS CLAIM WHICH TRIGGERED COVERAGE UNDER THESE CARRIERS' POLICIES n/a ASI REDACTED 04/07/2011

REDACTED

n/a AS

\$200:00 —

C3975	CTTY OF WAUKEGAN Invoice Number 25	9652 Page	5
	THERETO; EXAMINATION OF NOTICE OF FILING OF SAME		·
04/07/2011	IDENTIFY AND ASSESS CITY'S MOTION FOR LEAVE TO FILE OVERSIZED BRIEF IN OPPOSITION TO AMERICAN SAFETY'S MOTION FOR CLARIFICATION; IDENTIFY AND ASSESS NOTICE OF FILING AND	1.20 hrs.	\$240.00
	NOTICE OF MOTION; IDENTIFY AND ASSESS CITY'S RESPONSE TO AMERICAN SAFETY'S MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT; IDENTIFY AND ASSESS CITY'S NOTICE OF		• • • • • • • • • • • • • • • • • • • •
	FILING		
04/07/2011	REDACTED	n/a ASI	-\$40.00
04/07/2011	ASSEMBLY OF EXHIBITS FOR RESPONSE TO INTERSTATE'S MOTION TO CLARIFY COURT'S 3/3/11 ORDER: PREPARE NOTICE	4.50 hrs.	\$495.00
,	OF MOTION AND ASSIST IN PREPARATION OF MOTION FOR LEAVE TO FILE EXCESS PAGES IN RESPONSE TO AMERICAN SAFETY'S MOTION TO ALTER JUDGMENT; PREPARE NOTICE OF FILING AND ASSIST IN		
	ASSEMBLY OF EXHIBITS FOR RESPONSE TO AMERICAN SAFETY'S MOTION TO ALTER JUDGMENT; FILE RESPONSE TO INTERSTATE'S MOTION, RESPONSE TO AMERICAN SAFETY'S MOTION AND CITY'S MOTION FOR LEAVE		
04/12/2011	REVIEW AND ANALYZE 3/3/11 JUDGMENT ORDER RE: PROVISIONS CONCERNING ALLOCATION OF AMOUNT PAID BY CITY ABOVE DOMINGUEZ VERDICT	0.30 hrs.	\$60.00
04/12/2011	ANALYZE CASE I AW ON	1.00 hrs.	\$200.00
04/12/2011	ATTORNEYS FEES AS PART OF COST	1.20 hrs.	\$240.00
•	COMPUTATIONS RE: RULE TO SHOW CAUSE WHY AMERICAN SAFETY AND INTERSTATE DID NOT COMPLY WITH COURT'S ORDER ON 3/3/11		·
04/12/201	REDACTED	n/a ASI	\$120.00

C3975	CITY OF WAUKEGAN Invoice Number	r 29652	Page	7
04/12/2011	REDACTED	·	n/a ASI	-\$120.00-
04/12/2011	REVIEW COURT ELECTRONIC MINUTE ORDER GRANTING CITY'S MOTION FOR LEAVE TO FILE RESPONSE BRIEF IN EXCESS PAGES RE: RESPONSE TO AMERICAN SAFETY'S MOTION TO ALTER		0.10 hrs.	\$20.00
04/12/2011	REDACTED	-	n/a ASI	- \$20:00 -
04/12/2011	REVIEW AND ANALYZE AMERICAN SAFETY'S STATEMENT OF RESPONSIBILIT FOR COSTS AND INTEREST	Y .	0.60 hrs.	\$120.00
04/12/2011	REVIEW AND ANALYZE INTERSTATE'S STATEMENT OF RESPONSIBILITY FOR COSTS AND INTEREST		0.80 hrs.	\$160.00
04/12/2011	EVALUATE AMERICAN SAFETY'S STATEMENT OF APPORTIONMENT CONCERNING SATISFACTION OF DOMINGUEZ JUDGMENTS		0.50 hrs.	\$100.00
04/12/2011	EVALUATE INTERSTATE'S STATEMENT O APPORTIONMENT CONCERNING SATISFACTION OF DOMINGUEZ JUDGMENTS)F	0.50 hrs.	\$100.00
04/12/2011	IDENTIFY AND ASSESS AMERICAN SAFETY'S STATEMENT OF RESPONSIBILI FOR COSTS AND INTEREST AND NOTICE FILING THEREOF	TY OF	0.40 hrs.	\$80.00
04/12/2011	IDENTIFY AND ASSESS INTERSTATE INDEMNITY'S STATEMENT OF RESPONSIBILITY FOR COSTS AND INTEREST AND NOTICE OF FILING		0.50 hrs.	\$100.00
04/13/2011	REVIEW AND ANALYZE COMPUTATION AMERICAN SAFETY AND INTERSTATE'S STATEMENT OF RESPONSIBILITY AND RECONCILE NUMBERS WITH CITY'S CALCULATIONS	S IN	2.00 hrs.	\$400.00
04/13/201	THE STANK THE STANK CALLSE WHY	OID	3.00 hrs.	\$600.00

04/13/2011 EVALUATE AMERICAN SAFETY AND INTERSTATE'S BREAKDOWN OF COSTS AND INTERSTATE'S BREAKDOWN OF COSTS AND INTERSTATE'S AND ALLOCATION METHODS SET FORTH IN STATEMENTS OF ALLOCATION EXAMERICAN SETTY/DOMINGUEZ COVERAGE		CITY OF WAUKEGAN Invoi	ce Number	29652	Page	8	
INTERSTATES BREAKDOWN OF CUSIS AND INTEREST AND ALLOCATION METHODS SET FORTH IN STATEMENTS OF ALLOCATION RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE O4/14/2011 REVIEW AND ANALYZE CASE LAW ON PETITIONS FOR RULE TO SHOW CAUSE, REVIEW AND ANALYZE CASE LAW ON ATTORNEYS FEES AND PART OF COSTS; REVIEW AND ANALYZE CASE LAW ON ALLOCATION OF JUDGMENT RE, PETITION FOR RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATES SUPPLEMENTAL PAYMENT POLICY PROVISIONS RE, PETITION FOR RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATES SUPPLEMENTAL PAYMENT POLICY PROVISIONS RE, PETITION FOR RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATE O4/14/2011 REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE WHY AMERICAN SAFETY AND INTERSTATE DID NOT COMPLY WITH COURT'S MARCH 3, 2011 ORDER O4/14/2011 REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE MAY AMERICAN SAFETY AND INTERSTATE CONCERNING WHY THEY HAVE NOT COMPLED WITH COURT ORDER APPORTIONING JUBBILITY FOR FEES, COSTS AND INTERST RE: DOMINGUEZ COVERAGE O4/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT O4/15/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT O4/14/2011 REDACTED O4/14/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT RE: O4/12/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	C3975	•)		0.50 hrs.	\$	100.00
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04/14/2011 REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE WHY AMERICAN SAFETY AND INTERSTATE DID NOT COMPLY WITH COURT'S MARCH 3, 2011 ORDER 04/14/2011 REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATE CONCERNING WHY THEY HAVE NOT COMPLIED WITH COURT ORDER APPORTIONING LIABILITY FOR FEES, COSTS AND INTEREST RE: DOMINGUEZ COVERAGE 04/14/2011 DELIVERY OF AMERICAN SAFETY 1.00 hrs. \$110.00 04/15/2011 DELIVERY OF AMERICAN SAFETY 2.00 hrs. \$110.00 04/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT 04/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY SAND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		SHOW CAUSE AGAINST AMERICAN	1				
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CAUSE WHY AMERICAN SAFETY AND INTERSTATE DID NOT COMPLY WITH COURT'S MARCH 3, 2011 ORDER O4/14/2011 REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATE CONCERNING WHY THEY HAVE NOT COMPLED WITH COURT ORDER APPORTIONING LIABILITY FOR FEES, COSTS AND INTEREST RE: DOMINGUEZ COVERAGE O4/14/2011 DELIVERY OF AMERICAN SAFETY 1.00 hrs. \$110.00 O4/15/2011 DELIVERY OF AMERICAN SAFETY 1.00 hrs. \$110.00 O4/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT O4/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY 0.50 hrs. \$100.00 FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	04/14/0011	REVIEW AND SUPPLEMENT RULE T	OH2 O	W	4.80 hrs.		\$960.00
INTERSTATE DID NOT COMPLY WITH COURT'S MARCH 3, 2011 ORDER REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATE CONCERNING WHY THEY HAVE NOT COMPLIED WITH COURT ORDER APPORTIONING LIABILITY FOR FEES, COSTS AND INTEREST RE: DOMINGUEZ COVERAGE REDACTED O4/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT O4/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	04/14/2011	CATISE WHY AMERICAN SAFETY A	MD				
04/14/2011 REVIEW AND SUPPLEMENT RULE TO SHOW CAUSE AGAINST AMERICAN SAFETY AND INTERSTATE CONCERNING WHY THEY HAVE NOT COMPLIED WITH COURT ORDER APPORTIONING LIABILITY FOR FEES, COSTS AND INTEREST RE: DOMINGUEZ COVERAGE REDACTED REDACTED 1/2 ASI -\$60.00 04/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT 04/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT 04/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		INTERSTATE DID NOT COMPLY WI	TH.				
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CAUSE AGAINST AMERICAN SAFELY AND INTERSTATE CONCERNING WHY THEY HAVE NOT COMPLIED WITH COURT ORDER APPORTIONING LIABILITY FOR FEES, COSTS AND INTEREST RE: DOMINGUEZ COVERAGE REDACTED O4/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY O.50 hrs. \$100.00 SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	n 4 14 4 10 0 1 1	REVIEW AND SUPPLEMENT RULE	OHS OT	W	0.70 hrs.		\$140.00
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APPORTIONING LIABILITY FOR FEBS, COSTS AND INTEREST RE: DOMINGUEZ COVERAGE REDACTED n/a ASI \$60.00- 04/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT 1.00 hrs. \$110.00 4/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		TAPPED STATE CONCERNING WHY I	HEI		•		
COSTS AND INTEREST RE: DOMINGUEZ COVERAGE REDACTED n/a ASI 960.00- 04/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT 1.00 hrs. \$110.00 4/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		HAVE NOT COMPLIED WITH COOK	ES.				
O4/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE: S110.00 \$120.00		COSTS AND INTEREST RE: DOMING	GUEZ				
04/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	·	COVERAGE			·		•
04/14/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT 1.00 hrs. \$110.00 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT 04/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	i e			٠.	n/a ASI	•	860.00 -
04/15/2011 DELIVERY OF AMERICAN SAFETY COURTESY COPY TO FEDERAL COURT 04/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT 04/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	04/14/2011	i (ILDNOTON	•			: '	******
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COURTESY COPY TO FEDERAL COURT O4/21/2011 ANALYZE INTERSTATE'S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT O4/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE: \$120.00	04/15/2011	DELIVERY OF AMERICAN SAFETY	, 		1.00 hrs.		\$110.00
O4/21/2011 ANALYZE INTERSTATE'S REPLY BRIDGY IN SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	0-1/13/201	COURTESY COPY TO FEDERAL CO)UKT		•		
SUPPORT OF ITS MOTION FOR CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		THE PERIOD OF A TIME PERIOD V	RIEFIN	Į.	0.60 hrs.		\$120.00
CLARIFICATION AND TO ALTER OR AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN 0.50 hrs. \$100.00 SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	04/21/201	ANALYZE INTERSTATES REFERENCE	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•			•
AMEND JUDGMENT REVIEW AND ANALYSIS OF AMERICAN 0.50 hrs. \$100.00 SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		CLARIFICATION AND TO ALTER C)R				•
04/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:		AMEND JUDGMENT	•				
04/22/2011 REVIEW AND ANALYSIS OF AMERICAN SAFETY'S AND INTERSTATE'S REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:			7.7.4.N.T		0.50 hrs	-	\$100.00
SAFETY'S AND INTERSTATES REPLIES IN FURTHER SUPPORT OF MOTIONS TO ALTER OR AMEND JUDGMENT RE:	04/22/201	1 REVIEW AND ANALYSIS OF AMERI	KICAN PUTRUM	J	0.20 mg.		•
OR AMEND JUDGMENT RE:	•	CATETVIS AND INTERSTATES REI	TO ALT	ER			
CONSOL TO A TED DECLARATORY	•	FUKTHER SUFFORT OF MOTIONS	 _				
CONSOLIDATION PRODUCTION		CONSOLIDATED DECLARATORY		•			

C3975	CITY OF WAUK	egan i	nvoice Number	29652	Page	9
]	UDGMENT/DOMINGUEZ COVERA	AGE			•
04/25/2011	1	EVALUATE AMERICAN SAFETY'S RESPONSE TO INTERSTATE'S STA OF RESPONSIBILITY FOR COSTS A INTEREST	TEMENT		0.30 hrs.	\$60.00
04/26/2011		REVIEW AND ANALYZE AMERIC SAFETY'S REPLY IN SUPPORT OF	AN MOTION		0.90 hrs.	\$180.00
	1	TO AMEND	* .		• •	
04/26/2011		REVIEW AND ANALYZE INTERST REPLY IN SUPPORT OF IT'S MOTI RECONSIDERATION	(ATE'S ON FOR	•.	0.90 hrs.	\$180.00
04/26/2011		REVIEW AND ANALYZE AMERIC SAFETY'S RESPONSE TO INTERS' STATEMENT OF RESPONSIBILIT	TATES		0.60 hrs.	\$120.00
04/26/2011	·.	PLAN STRATEGY FOR DRAFTING SUR-REPLY IN OPPOSITION TO A SAFETY'S AND INTERSTATE'S M AMEND/RECONSIDER	MERICAN)	0.70 hrs.	\$140.00
04/26/2011		REVIEW AND ANALYZE DOMIN TRANSCRIPT FOR DUE PROCESS DISCUSSION RE: SUR-REPLY IN OPPOSITION TO INTERSTATE'S I RECONSIDER	. .) .	1.60 hrs.	\$320.00
04/26/2011		BEGIN DRAFTING SUR-REPLY II OPPOSITION TO INTERSTATE'S RECONSIDER	N MOTION TO)	1.50 hrs.	\$300.00
04/26/2011		ATTEND COURT APPEARANCE JUDGE KENDALL ON RULE TO CAUSE AND AMERICAN SAFET	SHOW Y'S MOTIO	N,	2.00 hrs.	\$400.00
		TO ALTER OR AMEND JUDGME INTERSTATE'S MOTION FOR RECONSIDERATION RE: CONSCIDENT JUDGMENTS/D	LIDATED	Z	• •	
		COVERAGE				•
04/26/201	1	EVALUATE PENDING MOTION	S AND		0.50 hrs.	\$100.00
041201201	•	IDENTIFY ISSUES TO BE ADDR SUR-REPLIES TO AMERICAN S INTERSTATE; RESPONSE TO A SAFETY'S STATEMENT OF RES FOR INTEREST, FEES AND COS CONSOLIDATED DECLARATOR JUDGMENT/DOMINGUEZ COV	ESSED IN AFETY ANI MERICAN PONSIBILI TS RE: RY			
04/26/201	1	REDACTED	• •		n/a ASI	\$60.00
U4/20/20)	.1	•			ì :	

C3975

CITY OF WAUKEGAN

Invoice Number 2965

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04/26/2011			Ψ20100
.04/26/2011	REDACTED	n/a ASI	-\$40.00 -
04/27/2011	REDACTED	n/a ASI	\$20.00
AME	FT SUR-REPLY IN OPPOSITION TO RICAN SAFETY'S AND INTERSTATE'S IONS TO AMEND/RECONSIDER	3.00 hrs.	\$600.00
04/28/2011 REV. BY I OPPO	IEW AND ANALYZE CASES RELIED ON NTERSTATE RE: CITY'S SUR-REPLY IN OSITION TO INTERSTATE'S MOTION RECONSIDERATION	0.30 hrs.	\$60.00
INTI COS REG	IEW AND ANALYZE DAMAGES, EREST AND ATTORNEYS FEES AND TS RE: CITY'S MEMORANDUM ARDING STATEMENT OF PONSIBILITY	1.50 hrs.	\$300.00
SUR	PARATION OF OUTLINE FOR -REPLY TO MOTION TO ALTER OR END RE AMERICAN SAFETY	1.00 hrs.	\$200.00
04/28/2011	REDACTED	n/a ASI	-N/C

TOTAL FEES FOR THIS MATTER

\$18,164.20 -\$19,865.00

DISBURSEMENTS

APRIL 2011 LEGAL RESEARCH CHARGES; AMERICAN SAFETY,

- \$975.00

MOTION TO AMEND

\$886.61

TOTAL DISBURSEMENTS FOR THIS MATTER ASI

\$ 886. 61 -\$975.00

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Invoice Number 29652

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BILLING SUMMARY

TOTAL FEES TOTAL DISBURSEMENTS COST ALLOWANCE

TOTAL CHARGES FOR THIS BILL.

\$ 18,064.20 -\$19,865.00 \$ 886.61 -\$975.00 \$ 903.21 \$993.25

\$19,854.02 -\$21,833.25



SCARIANO, HIMES and PETRARCA

ATTORNEYS AT LAW . CHARTERED

P.O. BOX 81355 CHICAGO, ILLINOIS 60681-0355 TAXPAYER ID # 36-2813428

C3975

FOR BILLING INQUIRIES CONTACT ACCOUNTING AT (312) 565-3100 ext. 261

June 1, 2011 Billing through 05/31/2011

Invoice No. 29773 DPF

Client Number CITY OF WAUKEGAN 00005 Matter Number ATTN: ACCOUNTS PAYABLE 100 N. MARTIN LUTHER KING JR. AVENUE WAUKEGAN, IL 60085 AMERICAN SAFETY CASUALTY MATTER FOR PROFESSIONAL SERVICES RENDERED -\$400:00 --2.00 hrs. REVIEW AND SUPPLEMENT SURREPLY IN 05/03/2011 **\$200** OPPOSITION TO INTERSTATE'S MOTION 50% FOR RECONSIDERATION \$660,00 3.30 hrs. PREPARATION OF CITY'S STATEMENT OF 05/03/2011 ALLOCATION OF LIABILITY BETWEEN INTERSTATE AND AMERICAN SAFETY RE: CONSOLIDATED DECLARATORY JUDGMENT/DOMINGUEZ COVERAGE \$480.00 2.40 hrs. REVIEW AND SUPPLEMENT SURREPLY IN 05/03/2011 FURTHER OPPOSITION TO INTERSTATE'S **\$240** 50%. MOTION FOR CLARIFICATION ADDRESSING INTERSTATE'S INTERPRETATION OF TRIAL PROCEEDINGS AND JURY INSTRUCTIONS AS LACKING IN MERIT RE: CONSOLIDATED DECLARATORY JUDGMENT/DOMINGUEZ COVERAGE n/a ASI REDACTED 05/04/2011 \$500:00 2.50 hrs. REVIEW AND SUPPLEMENT SURREPLY TO 05/05/2011 \$ 250 50% INTERSTATE'S MOTION TO AMEND \$100.00 0.50 hrs. REVIEW AND ANALYSIS OF AMERICAN 05/05/2011 SAFETY'S REPLY BRIEF IN SUPPORT OF MOTION TO ALTER VERDICT RE: CONSOLIDATED DECLARATORY JUDGMENT/DOMINGUEZ COVERAGE \$660.00 3.30 hrs. PREPARATION OF SURREPLY IN FURTHER 05/05/2011 OPPOSITION TO AMERICAN SAFETY'S MOTION TO ALTER OR AMEND VERDICT

ADDRESSING AMERICAN SAFETY'S

Invoice Number CITY OF WAUKEGAN C3975 FAILURE TO ADDRESS BINDING U.S. SUPREME COURT CASE LAW AND AMERICAN SAFETY'S IMPROPER RELIANCE ON PLEADING IN UNRELATED CASE RE: CONSOLIDATED DECLARATORY JUDGMENTS/DOMINGUEZ COVERAGE n/a ASI REDACTED 05/05/2011 3.50 hrs. REVIEW AND SUPPLEMENT SURREPLY IN 05/06/2011 OPPOSITION TO INTERSTATE'S MOTION 50% FOR CLARIFICATION ADDRESSING ALLOCATION OF DAMAGES IN ACCORDANCE WITH U.S. SUPREME COURT STANDARDS; RECORD EVIDENCE DEMONSTRATING THAT VERDICT WAS BASED SOLELY ON DUE PROCESS CLAIM RE: DOMINGUEZ COVERAGE \$940:00 4.70 hrs. PREPARATION OF SURREPLY IN 05/06/2011 OPPOSITION TO AMERICAN SAFETY'S MOTION TO ALTER JUDGMENT ADDRESSING SELF INSURED RETENTION ENDORSEMENT AND ARGUMENT THAT ENDORSEMENT DOES NOT ALTER DUTY TO DEFEND RE: DOMINGUEZ COVERAGE \$260.00 REVIEW AND ANALYSIS OF AMERICAN 1.30 hrs. 05/06/2011 SAFETY'S AND INTERSTATE'S STATEMENTS OF ALLOCATION OF DAMAGES AS WELL AS THE CITY DAMAGES PROVE-UP DOCUMENTATION FOR CITATION IN OPPOSITION TO CARRIER'S CLAIMS OF NO LIABILITY RE: DOMINGUEZ COVERAGE \$460.00 2.30 hrs. PREPARATION OF SURREPLY IN 05/07/2011 OPPOSITION TO AMERICAN SAFETY'S MOTION TO ALTER JUDGMENT ADDRESSING IMPROPRIETY OF CARRIER'S ATTEMPT TO BRING IN EVIDENCE FROM PLEADINGS FROM UNRELATED PENDING

COVERAGE CASE RE: DOMINGUEZ

COVERAGE

C3975	CITY OF WAUKEGAN Invoice Number	29773	Page 3	
05/07/2011	PREPARATION OF SURREPLY IN	2,20 hr	i	\$440.00
	OPPOSITION TO INTERSTATE'S MOTION FOR CLARIFICATION ADDRESSING CARRIER'S ATTEMPT TO DISPUTE	50%	<i>!</i> .	\$220
	APPLICATION OF THE ALL SUMS	. •	. '	
-	PROVISION IN POLICIES RE: DOMINGUEZ	•		
	COVERAGE			•
05/07/2011	ASSIST IN PREPARATION OF SURREPLY IN	4.50 hr	s.	-\$495:00 ·
. 03/07/2011	FURTHER OPPOSITION TO INTERSTATES	507	1	\$ 247.50
-	MOTION FOR CLARIFICATION; ASSIST IN	2 41	•	•
*	PREPARATION OF SURREPLY IN FURTHER OPPOSITION TO AMERICAN SAFETY'S			
	MOTION FOR CLARIFICATION; PREPARE			•
•	NOTICES OF FILING			
	SUPPLEMENT SURREPLY IN OPPOSITION	2.50 h	rsi.	-\$500:00-
05/10/2011	TO INTERSTATE'S MOTION FOR	N	. <i>i</i>	\$250
	RECONSIDERATION OF JUDGMENT ORDER	50	I÷	4 24 "
	ADDRESSING DUE PROCESS VERDICT	•		
·	SUPPLEMENT SURREPLY IN OPPOSITION	2.00 h	rs.	\$400.00
. 05/10/2011	TO AMERICAN SAFETY'S MOTION TO	•		
	AMEND JUDGMENT ORDER ADDRESSING	•	•	
•	SELF-INSURED RETENTION ISSUE			
	SUPPLEMENT CITY'S RESPONSE TO	1.00 H	irs.	\$200.00
05/10/2011	AMERICAN SAFETY AND INTERSTATE'S			\$100
• • •	STATEMENTS OF RESPONSIBILITY	50	! / •	
•	ADDRESSING TIME ON RISK ISSUE			
05(10(001)	PREPARATION OF CHARTS DETAILING	2.00 1	ırs.	\$400.00
05/10/2011	ALLOCATION OF DAMAGES AND			• • •
•	CALCULATION OF DISCOUNTS DUE TO		-	
	SETTLEMENT RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE		•	•
	SATE INDOMINGUES CO (• •		****
05/10/2011	PREPARATION OF CITY'S RESPONSE IN	4.20	hrs.	-3340:00 -
, , , , , , , , , , , , , , , , , , , ,	OPPOSITION TO AMERICAN SAFETY'S AND	, 5	07.	\$420
	INTERSTATE'S STATEMENTS OF ALLOCATION OF DAMAGES ADDRESSING		. •	
	ARGUMENTS THAT LIABILITY FOR			
•	DAMAGES SHOULD BE ASSUMED SOLELY		•	
	BY AMERICAN SAFETY AND INTERSTATE	•		
	RE: DOMINGUEZ COVERAGE		•	•
05/10/2011	SUPPLEMENT AND FINALIZE SURREPLY I	N 3.00	hrs.	\$600.00
03/10/2011	OPPOSITION TO AMERICAN SAFETY'S			•
	MOTION TO ALTER OR AMEND JUDGMEN	I .		•
	ADDRESSING PUBLIC POLICY AGAINST ALLOWING CARRIER TO REQUIRE THAT	•	•	٠
	INSURED SATISFIES SELF-INSURED			
•	RETENTION BEFORE INSURER HAS ANY	-	•	
	•			

29773

Invoice Number CITY OF WAUKEGAN C3975 COVERAGE RESPONSIBILITIES RE: DOMINGUEZ COVERAGE n/a ASI REDACTED 05/10/2011 -\$495.00-4.50 hrs. ASSIST IN ORGANIZATION OF EXHIBITS 05/10/2011 ATTACHED AND CITATIONS INCLUDED \$247.50 50% WITH RESPONSE IN OPPOSITION TO AMERICAN SAFETY'S AND INTERSTATE'S STATEMENTS OF RESPONSIBILITY; PREPARE NOTICE OF FILING; FILE TWO SURREPLIES AND ONE RESPONSE n/a ASI REDACTED 05/11/2011 \$100.00 EVALUATE INTERSTATE'S RESPONSE TO 0.50 hrs. 05/11/2011 AMERICAN SAFETY'S STATEMENT OF ALLOCATION OF DAMAGES RE: AMERICAN SAFETY/DOMINGUEZ COVERAGE \$240.00 1.20 hrs. **IDENTIFY AND ASSESS INTERSTATE'S** 05/11/2011 RESPONSE TO AMERICAN SAFETY'S 50% STATEMENT OF RESPONSIBILITY FOR COSTS, CITY'S SURREPLY TO INTERSTATE MOTION FOR CLARIFICATION, CITY'S SURREPLY TO AMERICAN SAFETY'S MOTION FOR CLARIFICATION, CITY'S RESPONSE TO AMERICAN SAFETY'S AND INTERSTATE'S STATEMENT OF RESPONSIBILITY FOR COSTS AND INTEREST \$100.00 n/a ASI 05/12/2011 REDACTED n/a ASI 3 REDACTED

05/17/2011

C3975	CITY OF WAUKEGAN	Invoice Number	29773 · Page	5
05/17/2011	REVIEW AND ANALYZE AMERIC SAFETY'S RESPONSE TO INTERS STATEMENT OF RESPONSIBILIT	STATES	0.50 hrs.	\$100:00
05/17/2011	REDACTED	:	n/a ASI	. \$60,00 —
				•••
05/17/2011	IDENTIFY AND ASSESS AMERIC SAFETY'S REPLY OPPOSING TH RESPONSE IN OPPOSITION TO A SAFETY'S AND INTERSTATE'S	E CITY'S	0.50 hrs.	\$100.00
	STATEMENTS OF RESPONSIBIL COSTS AND INTEREST	ITY FOR		
05/18/2011	REDACTED	· ·	n/a ASI	-\$200.00
.05/19/2011	REDACTED		n/a ASI '	-\$200:00 -
		· .	: 1 ^-	
05/19/2011	REDACTED		n/a ASI	\$140.00
	j	*	š	
05/19/2011	_ I REDACTED		n/a ASI	-\$120.00 —
		:		
05/20/2011	REDACTED		n/a ASI	-N/C
05/24/2011	REDACTED	.سست ي	n/a ASI	\$800.00 -
05/24/2011	REDACTED		n/a ASI	\$400.00 ·

C3975	CITY OF WAUKEGAN	· · ·	Invoice Number 29773	Page	6
05/24/2011		REDACTED		n/a ASI	-\$40.00
05/25/2011		REDACTED	. · ·	n/a ASI	\$500.00
05/25/2011	· ·	REDACTED		n/a ASI	-\$80.00 - .
05/26/2011		REDACTED		n/a ASI	-\$740.00
05/26/2011		REDACTED	•	n/a ASI	\$560.00
05/26/2011	TO INTERST	erican safety's ate's statemen lity and city's	F OF	0.40 hrs.	\$80.00
05/26/2011	REGARDING	ALLOCATION OF REDACTED	COSTS	n/a ASI	-\$40.00
05/27/2011	*	REDACTED		n/a ASI	-\$40.00 -
05/27/2011	CONSIDER V SAFETY'S M	TABILITY OF AMI	ERICAN ORAL	0.20 hrs.	\$40.00
05/30/2011	ARGUMENT		* * * 	n/a ASI	\$500.00 ·
05/31/2011		REDACTED	•	n/a ASI	.\$440.00 ~
05/31/2011		REDACTED		n/a ASI	_\$ 620.00 ·
				n/a ASI	_\$540.00_
05/31/2011	•	REDACTED			•
05/31/2011	·	REDACTED		n/a ASI	-\$20.00 -
05/31/2011		REDACTED		n/a ASI	-\$500.00

Invoice Number 29773 CITY OF WAUKEGAN REDACTED n/a ASI \$400:00 05/31/2011 \$400:00 REDACTED n/a ASI .05/31/2011 \$7,545 -\$19,030.00 TOTAL FEES FOR THIS MATTER DISBURSEMENTS MAY 2011 LEGAL RESEARCH CHARGES; AMERICAN SAFETY -- \$931.00 \$369.12 TOTAL DISBURSEMENTS FOR THIS MATTER -\$931.00 \$369.12 ASI

BILLING SUMMARY

TOTAL FEES
TOTAL DISBURSEMENTS
COST ALLOWANCE

TOTAL CHARGES FOR THIS BILL

\$7,545 —\$19,030.00 \$369.{2 —\$931.00 \$377.25 —\$951.50

\$.8,291-37 \$20,912.50

Case: 1:07-cv-01990 Document #: 874 Filed: 06/22/11 Page 45 of 48 PageID #:29973

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

AMERICAN SAFETY CASUALTY INSURANCE COMPANY et al., Plaintiffs,

v.

CITY OF WAUKEGAN,

Defendant.

CITY OF WAUKEGAN,

Counter-Plaintiff,

v.

AMERICAN SAFETY CASUALTY INSURANCE COMPANY, et al.

Counter-Defendants.

Case No. 07CV1990 (Consolidated with Case No. 07CV64) Judge Kendall Magistrate Judge Finnegan

AFFIDAVIT OF PAULETTE A. PETRETTI IN SUPPORT OF CITY OF WAUKEGAN'S SUPPLEMENTAL PETITION FOR ATTORNEYS' FEES AGAINST AMERICAN SAFETY, PURSUANT TO COURT ORDER DATED MARCH 16, 2011

Exhibit B

Case: 1:07-cv-01990 Document #: 874 Filed: 06/22/11 Page 46 of 48 PageID #:29974

American Safety v. City of Waukegan (Summary of Attorneys' Fees & Hours Attributable to ASI)

DATE	INVOICE NUMBER	TOTAL PRO-RATED HOURS	RATE	AN	FEE MOUNT
3/31/2011	29521	149.90	\$200.00	\$	29,980.00
4/30/2011	29652	87.296*	\$200.00	\$	17,459.20
5/31/2011	29773	35.25	\$200.00	\$	7,050.00
		105 15		e e	54 490 20

185.15 \$ 54,489.20

(Summary of Clerks' Fees & Hours Attributable to ASI)

DATE	INVOICE NUMBER	TOTAL PRO-RATED HOURS	RATE	A	FEE MOUNT
3/31/2011	29521	27.77	\$110.00	\$	3,054.70
4/30/2011	29652	5.50	\$110.00	\$	605.00
5/31/2011	29773	4.50	\$110.00	\$	495.00
		37.77		\$	4,154.70

(Summary of Total Fees & Hours Attributable to ASI)

DATE	INVOICE NUMBER	TOTAL PRO-RATED HOURS	FEE AMOUNT
3/31/2011	29521	177.67	\$ 33,034.70
4/30/2011	29652	92.80	\$ 18,064.20
5/31/2011	29773	39.75	\$ 7,545.00
		210.22	\$ 59.643.00

\$ 58,643.90

^{*}This number is carried out to the third decimal point to keep the fee amount accurate.

Case: 1:07-cv-01990 Document #: 874 Filed: 06/22/11 Page 47 of 48 PageID #:29975

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

AMERICAN SAFETY CASUALTY INSURANCE COMPANY et al., Plaintiffs,

v. CITY OF WAUKEGAN,

Defendant.

CITY OF WAUKEGAN,

Counter-Plaintiff,

v.
AMERICAN SAFETY CASUALTY
INSURANCE COMPANY, et al.
Counter-Defendants.

Case No. 07CV1990 (Consolidated with Case No. 07CV64) Judge Kendall Magistrate Judge Finnegan

AFFIDAVIT OF PAULETTE A. PETRETTI IN SUPPORT OF CITY OF WAUKEGAN'S SUPPLEMENTAL PETITION FOR ATTORNEYS' FEES AGAINST AMERICAN SAFETY, PURSUANT TO COURT ORDER DATED MARCH 16, 2011

Exhibit C

American Safety v. City of Waukegan (Summary of Legal Research Fees Attributable to ASI)

<u></u>	T		_		
	DESCRIPTION	March 2011 Legal Research Fees	April 2011 Legal Research Fees	May 2011 Legal Research Fees	
	VENDOR	WestLaw	WestLaw	WestLaw	
% ATTRIBUTABLE	TO ASI	100%	100%	100%	
PRO-RATED	AMOUNT	\$629.65	\$886.61	\$369.12	\$1,885.38
INVOICE	NUMBER	29521	29652	29773	
	DATE	3/31/2011	4/30/2011	5/31/2011	